



Exhibit A

00574738

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Patsy Cutler, Iron County Recorder
06/30/2008 10:31:28 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK

THREE PEAKS ROAD

IRON COUNTY, UTAH

ROAD NUMBER 97

State of Utah)
 : ss.
County of Iron)

LYNN FIACK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as Three Peaks Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2005 when I last observed it. Attached is a Iron County map showing Three Peaks Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by means of pickup trucks, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.

5. Throughout the time period from the early 1960s to 2005, I have used the road

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myself for road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, recreation, and traveling in and through the area.

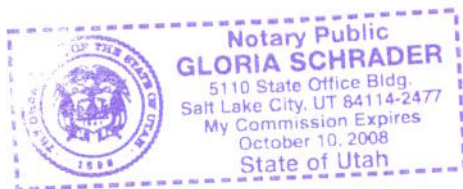
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 21 day of December, 2006.


LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21st day of December, 2006.




NOTARY PUBLIC

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THREE PEAKS ICO-0097

11
T35S R12W
12
7
T35S R11W
8
14
13
18

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THREE PEAKS
ICO-0097

MAP PROJECTION INFORMATION
PROJECTION: UTM
MAD 1983 METERS
ZONE: 12N

SECTION NUMBERING SYSTEM
SUBDIVISIONS ARE MAINTAINED BY IRON
COUNTY RECORDERS
LAST UPDATED ON
FEBRUARY 25, 2008

IRON COUNTY GIS

WATER BODIES

SECTIONS

TOWNSHIPS

STATE HIGHWAY

INTERSTATE 15

DIRT ROAD

GRAVEL ROAD

PAVED ROAD

LOCAL ROAD/TRAIL

RAILROAD

THREE PEAKS

Camp Site

Culvert

Road Photo

Survey Monument

BLM

FOREST

PARKS

PRIVATE

STATE

WILDERNESS

IRON COUNTY GIS

Map of Iron County, Utah, showing the location of the Three Peaks area. The map includes the county boundary, major roads, and the location of the Three Peaks area. The map is titled 'IRON COUNTY'.

AFFIDAVIT OF NEIL JAMIESON FORSYTH

THREE PEAKS ROAD

IRON COUNTY, UTAH

ROAD NUMBER 97

State of Utah)
 : ss.
County of Iron)

NEIL JAMIESON FORSYTH, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as Three Peaks Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Three Peaks Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for hunting and road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, mining, travel to and from schools, hunting, recreation, government access and traveling in and through the area.

7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20th day of December, 2006.


NEIL JAMIESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.


NOTARY PUBLIC

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THREE PEAKS ICO-0097

11
T35S R12W
12
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T35S R11W
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THREE PEAKS

ICO-0097

SECTION NUMBERING SYSTEM

SUBSECTIONS ARE MAINTAINED BY IRON COUNTY RECORDERS OFFICE
FEBRUARY 25, 2005

MAP PROJECTION INFORMATION
PROJECTION: UTM
ZONE: 12N
Easting: 650,000
Northing: 6,500,000
Datum: NAD 83

Scale: 1" = 100 Feet

North Arrow

LEGEND

- THREE PEAKS
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- Camp Site
- Culvert
- Road Picnic
- Survey Monument
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

IRON COUNTY GIS

Iron County GIS is the lead agency for the GIS data and maps. The GIS data is maintained by the Iron County GIS staff. The GIS data is updated on a regular basis. The GIS data is available to the public. The GIS data is available to the public. The GIS data is available to the public.

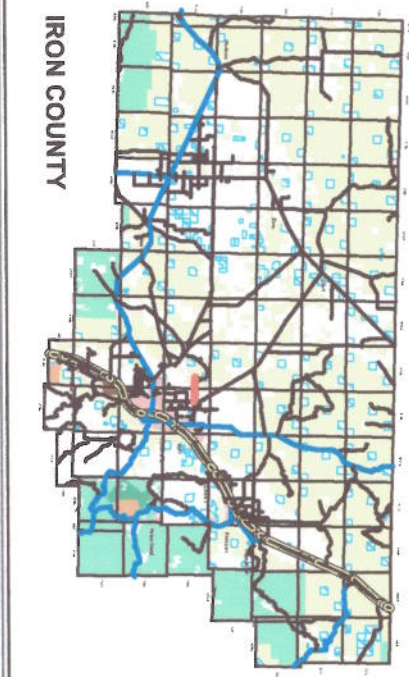


Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: THREE PEAKS ROAD

County: Iron

County Road Number: 97

State Geographic Information Database (SGID) Road Identification Number: RD110097.

Total Road Length: 3.31 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 45 minutes 55.37 seconds North Latitude and -113 degrees 10 minutes 014.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,157,526.6 feet and Y = 10,246,874.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 45 minutes 53.78 seconds North Latitude and -113 degrees 06 minutes 36.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,175,008.1 feet and Y = 10,246,407.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 35 South Range 11 West, Section(s) 7,8,17,18, Salt Lake Base & Meridian

Township 35 South Range 12 West, Section(s) 11,12, Salt Lake Base & Meridian

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